



**MINUTES  
CITY COUNCIL MEETING  
June 18, 2019**

**CALL TO ORDER**

The meeting was called to order at 6:30 pm.

**Present:** Mayor: Charlie Miner; Council: Deirdre Kvale, Michelle Jerde, Jahn Dyvik, and Tom Skjaret

**Staff Present:** City Administrator: Scott Weske; City Attorney: John Thames; Planning Consultant: PeggySue Imihy; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

**Absent:** None

**PLEDGE OF ALLEGIANCE**

**MAYOR'S COMMENTS - LONG LAKE NEWS, MEETING REVIEW AND UPDATES**

Mayor Miner welcomed members of the community in attendance and offered the following comments and updates:

Sponsored by the Long Lake Area Chamber of Commerce, Buckhorn Days will be held on Saturday, July 13 at Nelson Lakeside Park. Information on the event should be coming from the Chamber soon, and it will be circulated on the Listserv once available.

In the EDA meeting held prior to the regular Council meeting, the EDA received an update from staff on the demolition of the former BP station at 1905 Wayzata Boulevard W. Demolition will begin soon. Also, the EDA gave direction to staff for preparing a community survey within the next week or two in order to ask residents for their input on what they'd like to see on City-owned properties.

**APPROVE AGENDA**

*A motion was made by Jerde, seconded by Skjaret, to approve the Agenda as presented. Ayes: all.*

**CONSENT AGENDA**

The Consent Agenda consisted of:

- A. Approve Minutes of June 4, 2019 City Council Work Session
- B. Approve Minutes of June 4, 2019 City Council Meeting
- C. Receive Minutes of May 21, 2019 Economic Development Authority Meeting
- D. Approve Vendor Claims and Payroll
- E. Adopt Resolution No. 2019-23 Accepting the Donation of \$6,862 to the Long Lake Fire Department From Long Lake Volunteer Fire Department Second Call
- F. Adopt Resolution No. 2019-22 Approving Issuance of Special Event Permit #S2019-04 for the 2019 LLFD Red Hot Run 5K to be Held July 27, 2019
- G. Adopt Resolution No. 2019-26 Approving Issuance of Special Event Permit #S2019-05; Approve Issuance of a 1 to 4 Day Temporary On Sale Liquor License for the Orono Lions Club to Allow the Sale of Alcoholic Beverages; Approve Issuance of a Noise Variance

Permit Authorizing Use of Sound Amplification Equipment; and Approve an LG240B Application to Conduct Excluded Bingo for the Buckhorn Days 2019 Festival to be Held Saturday, July 13, 2019

- H. Adopt Resolution No. 2019-28 Approving a Conditional Use Permit to Allow for Solar Panels to Encroach on the Required One (1) Foot Setback From the Roofline at 1786 Wayzata Boulevard W

Regarding Item D, Approve Vendor Claims and Payroll, Weske confirmed for Council that a claim for reimbursement to a firefighter was supported by the firefighter completing a request for reimbursement form. He explained that any staff member seeking reimbursement of an expense would complete a request for reimbursement form and submit it along with receipts and invoices related to their expense incurred. It was also noted that an invoice for the claim paid for fuel at Navarre Amstar had not been in the supporting invoice packet included in Council members' meeting materials. Weske affirmed he could send a .pdf of any documents not in member meeting packets the day after the meeting.

*A motion was made by Skjaret, seconded by Jerde, to approve the Consent Agenda as presented.*

Council member Dyvik questioned if the cost of producing the City's annual audit had risen from the previous year. Weske advised that the amount was consistent with the \$26,000 budgeted for the audit production, and noted that some additional expense is also annually incurred with AEM Financial Services – an affiliate of Abdo, Eick and Meyers – for assistance in preparing for the audit.

Andy Berg of Abdo, Eick and Meyers added that fees for the audit typically can increase from one year to the next by no more than 2% to 3%.

Council member Skjaret called attention to Consent Agenda Item H and reflected that he was pleased to see renewable energy installations taking place. Council member Dyvik asked whether the solar panels would be installed on both buildings. City Clerk Moeller clarified that both Gear West buildings would have solar panels installed; however, one was compliant with solar technologies ordinance language requiring only a building permit, and the second installation required a minor deviation from the City's solar standards thereby needing a Conditional Use Permit to move forward.

*Ayes: all.*

## **OPEN CORRESPONDENCE**

**Alex Miller, WSB** – City Engineer Miller indicated that she had spoken with Administrator Weske about the City's recent adoption of an ordinance placing a moratorium on allowing new utility connections from communities outside Long Lake. She presented examples of some handouts from Metropolitan Council regarding inflow and infiltration, or I/I, and explained that as clean water is infiltrating the sanitary sewer system and being sent for treatment, the City is required to pay for the treatment of the added flow. She discussed examples of sources of I/I including groundwater seeping in through cracks in infrastructure, manholes, and connections from private residences. Miller advised that she is intending to come back before the Council in July to talk about next steps to start addressing the City's increased flows, and she will be reaching out to Metropolitan Council to determine if funding may be available to assist the City's in its work to identify and reduce I/I.

## **BUSINESS ITEMS**

### **Receive and Accept the 2018 Audited Financial Report**

Andy Berg of Abdo Eick & Meyers indicated that he was in attendance to present the City's annual audited financial report. Berg advised that the completed AEM audit report for 2018 includes a "clean opinion" and reviewed the auditor's responsibility as well as audit findings relating to limited segregation of duties, preparation of financial statements and regular financial reporting to the City Council, timely investment reconciliations, and a single incident in which checks were mailed to vendors prior to being signed. Berg confirmed that none of the findings affected the clean opinion of the report, and emphasized that the unsigned check finding was an isolated incident that had happened only once. Weske observed that from a dual control perspective, it was unexpected that banks cashed the unsigned checks. Berg clarified that with regard to the finding relative to limited segregation of duties, that particular finding was very common to small cities. Council member Skjaret pointed out that the addition of a finance employee would likely add some remedies to that finding.

He provided the City Council with an overview of the audit management letter; discussing General Fund revenues/expenditures, special revenue funds, capital projects funds, debt service funds, enterprise cash balances and cash flows, and reviewing a ratio analysis of Long Lake's financial statistics. Mr. Berg responded to Council member questions regarding items within the audit with assistance from Administrator Weske; with clarification provided regarding how budgeting and payment for the fire truck impacted the City's various funds and expenditures, what the recommended general fund reserve balance percentage would be, identified restricted versus unrestricted revenue funds, reviewed water and sewer enterprise fund cash flows in relation to increasing debt service requirements, explained how unrestricted funds could be reallocated to offset underfunded enterprise funds such as the sewer fund, how future projects such as road reconstruction would be funded, and discussed opportunities to improve regular financial reporting for the Council's review.

Council member Kvale questioned at what point feedback may be received from the State Auditor following audit submission. Berg replied that the audit would be sent to the State Auditor by the June 30 deadline, but noted it was unlikely any feedback would be received.

*A motion was made by Skjaret, seconded by Jerde, to receive and accept the Management Letter and annual City Financial Report for the year ended December 31, 2018 issued by City external auditors Abdo, Eick & Meyers LLP. Ayes: all.*

### **Planning Case #2019-07 / Application for a Lot Line Adjustment at 16 Creekside Drive and 1674 Bollum Lane (Matthew Simenstad, Attorney for Kandanchatha/Unni)**

Planning Consultant Imihy described the location of the two properties in the R-1A Single Family Residential zoning district, and explained that the application is for a lot line adjustment between the properties at 16 Creekside Drive and 1674 Bollum Lane, as well as for an alteration of a legal nonconforming lot. The single family home at 16 Creekside Drive was built in the rear setback area of the lot, and the lot line adjustment proposed would decrease the degree of nonconformity of the site. She noted that approval of the alteration of a nonconforming use requires a 4/5 vote of the entire Council. The application was made because the previous homeowners of the 16 Creekside Drive property had not verified the location of their property line prior to landscaping the site, and their landscaping actually encroached into the neighboring property at 1674 Bollum Lane. The result of this was that the current owners did not know where their lot line actually was and they ended up installing a generator on the neighbor's property. The application represents an agreement that has been made between the two property owners, whereby a portion of the lot at 1674 Bollum Lane would be purchased by the owners of 16 Creekside Drive and the lot line adjusted

accordingly. Though some cities permit City staff to complete such a lot line adjustment administratively, Long Lake zoning code requires Planning Commission review and Council action. At the Planning Commission's June 11 meeting, the Commission recommended approval of the application by a 4-0 vote. Council has the option to approve the applicant's request, to deny based upon specific findings, or to table action to request additional information be provided.

*A motion was made by Skjaret, seconded by Jerde, to adopt Resolution No. 2019-27 approving a lot line adjustment and the alteration of a non-conforming use for property located at 16 Creekside Drive and 1674 Bollum Lane as shown on the attached survey dated May 8, 2019.*

Council member Skjaret confirmed that at the Planning Commission meeting he'd observed both parties were keen on completing and resolving the lot line adjustment with no issues between the two parties.

*Ayes: all.*

**Planning Case #2019-08 / Request for a Preliminary and Final Plat for a Subdivision (Lot Combination) Located at 1854 and 1860 Wayzata Boulevard W (Tim Knutsen / BDH + Young)**

Imihy introduced the application and indicated that the request for Preliminary and Final Plat would combine the three individual properties at 1854 and 1860 Wayzata Boulevard W, all owned by the same owner, into one lot thereby enabling the Long Lake Veterinary Clinic to construct an addition to their existing facility over the single newly platted property. The property is located in the B-1 zoning district in which a veterinary clinic is a permitted use, and is situated within the Downtown Village Mixed Use area as identified in Comprehensive Plan and in which businesses are desired. Staff's review of the proposed plat documents resulted in recommending approval subject to a condition that engineering comments be resolved. City Engineer Miller is working with the property owner's design team to acquire easements to allow the City to enter the property for any drainage or utility issues, particularly related to the sanitary sewer line situated in the rear of the site. The easement will provide for access the sewer line while going around buildings already present on the property. Imihy confirmed that at this point it is anticipated the applicant will be able to accommodate parking required for the future vet clinic expansion and will not need to seek a variance.

City Engineer Miller added that the most recent draft of the plat she had received had included all of the rear and side easements being requested, and an encroachment agreement is currently in progress.

Imihy stated that staff's recommendation is that the Council approve the applicant's request. During their review, the Planning Commission agreed and voted 4-0 to recommend approval. The Council's options for action would be to Council has the option to approve the application, to deny based upon specific findings, or to table action to request additional information be provided.

*A motion was made by Dyvik, seconded by Skjaret, to adopt Resolution No. 2019-25 approving the request for a Preliminary and Final Plat for a Subdivision to combine lots located 1854 and 1860 Wayzata Boulevard W with the condition that the engineering comments are addressed and the plat is approved by the City Engineer. Ayes: all.*

**Planning Case #2019-11 / Request for a Preliminary and Final Plat for a Subdivision Located at 1802 and 1806 Symes Street, and 1798 Martha Lane; Request for a Variance to the Lot Dimension of the R-2 Lakeshore Single Family Residential District at 1802 and 1806 Symes Street, and 1798 Martha Lane; Request for a Conditional Use Permit for Grading Within the Shoreland Overlay District at 1802 and 1806 Symes Street, and 1798 Martha Lane (John Sonnek / Charles Cudd Co., LLC)**

Imihy recalled that the Council had heard the applicant's concept proposal previously, and at this time the applicant is requesting consideration of concurrent Preliminary and Final Plat to rearrange lot lines for the properties at 1802, 1806 Symes Street and 1798 Martha Lane; a variance from lot width standards at OHWL; and a Conditional Use Permit to allow grading within a shoreland district. In the R-2 Lakeshore Single Family Residential zoning district, she explained that the lot width requirement is 75 feet at the OHWL mark. The proposed lots would be approximately 67 feet at OHWL. In the Comprehensive Plan and future land use map, the location of the properties was regulated by City Council to remain a future low density residential use, and the applicant's request to construct three single family homes would be consistent with the guiding of the site. Imihy responded to Council member questions regarding how lot width at OHWL is calculated and affirmed that in all other respects, the lots proposed would conform with R-2 zoning standards.

Upon review of the request for a variance from lot width standards for the dimensions proposed, the standard is that a practical difficulty exists. Staff finds the request to even out the three originally poorly planned lots essentially fixes an issue for the City resulting in three more even and adequately spaced lots more consistent with the intent of the R-2 lot standards.

Imihy clarified that the Conditional Use Permit for grading within the shoreland overlay district is necessary to permit grading and dirt moving activities during construction; reviewed specific conditions of approval related to grading within the shoreland district; and also advised that engineering comments will need to be fully addressed on the plat documents.

Mayor Miner and Council member Dyvik questioned whether rip rapping the shoreline for the lots could be included as a condition of approval.

City Attorney Thames explained that as it would not be relevant to the criteria for analysis of a variance, a rip rap condition could not be tied to the application's approval.

Imihy noted that staff is pleased with the change requested which would be more consistent with the surrounding lots, and also displayed a photo provided by the applicant to show their style of construction. Staff recommends approval of the requests. At their meeting, the Planning Commission really liked and was supportive of the proposal, and voted unanimously to recommend approval as well. As always, the Council has the option to approve the applicant's requests, to deny based upon specific findings, or to table action to ask that additional information be provided.

*A motion was made by Skjaret, seconded by Jerde, to adopt Resolution No. 2019-24 approving the request for a Preliminary and Final Plat for a Subdivision, Variance to the lot dimensions of the R-2 Lakeshore Single Family Residential District, and a Conditional Use Permit for grading within the Shoreland Overlay District, subject to the conditions of the City Engineer and contained in the resolution, on the properties located at 1802 and 1806 Symes Street and 1798 Martha Lane.*

Council member Dyvik noted that he was pleased the proposal had been for a three lot configuration with R-2 setbacks and hardcover requirements being met. Though he understands Council cannot impose a requirement that the applicant rip rap shoreline, he emphasized that lakeshore owners come before Council and complain about their shores being eroded, shoreline erosion affects lake water quality, and he would strongly encourage the applicant to consider rip rapping the shoreline

for the properties. He also asked whether the development would have a mini-association for the three properties.

John Sonnek, Charles Cudd Co., noted that though they had mentioned an association previously, they already have interested buyers who would prefer not to. He also confirmed that they intend to take down the house and nonconforming structures on the properties.

Council member Skjaret added that at the Planning Commission, a resident adjacent to the 1798 Martha Lane property had seemed responsive to adjustments that were made by the applicant.

Regarding the Council's interest in requiring rip rap of shoreline, Imihy noted that Council could discuss amending zoning district requirements to address the issue for future development; however, that may be a difficult requirement to impose given that the lake is shared by other communities, and given the expensive cost that would be born by developers if required to do so. She commented that it may be worth asking what other communities are doing as well as part of a future discussion of the idea.

*Ayes: all.*

**Response Letter From Metropolitan Council – 2040 Comprehensive Plan (Incomplete for Review); Proposal From WSB to Provide Services to Complete the 2040 Update to the Long Lake Comprehensive Plan**

Imihy introduced this agenda item, reflecting that the members of the Comprehensive Plan Update Task Force had put in a lot of work and did quite a good job of engaging the community through their draft 2040 Comprehensive Plan update project. WSB has prepared a proposal to help the City update and finish its 2040 Comprehensive Plan to meet Metropolitan Council requirements and acceptance standards. She noted that at this point, what's been found to be missing from the document is largely a lot of technical data that even cities with large teams of planners on staff have consultants prepare for them; and added that it is not normal for Metropolitan Council to approve a Comprehensive Plan at first submission. She explained Metropolitan Council's Comprehensive Plan review process and referenced the letter they had submitted to Long Lake upon completing their review which found the City's draft plan to be incomplete. Imihy provided a review of the varied purposes of a Comprehensive Plan and highlighted areas where technical details and calculations need to be incorporated into sections of the plan.

She clarified that WSB's proposal for completion of the 2040 Comprehensive Plan update was reflective of some of the work required already being accomplished, and taking into account that there are sections of the 2030 plan document that can likely be reused. She confirmed that Metropolitan Council's designation of Long Lake as a "suburban" community requires that technical data in the plan be incorporated to meet their overall housing density standard of five dwelling units per acre – in the 2030 plan, the previous standard required an overall density of 3 dwelling units per acre.

Imihy responded to Council member questions and explained that though the Metropolitan Council's deadline was June 30, if the City is making progress on its plan update, Metropolitan Council would be willing to work with the City.

Council member Kvale indicated she thought the task force who had worked on the document should have some involvement so that WSB is augmenting the vision and policy the task force had intended. She commented that her understanding is that what's necessary is to provide the data to support the City's visioning.

Council member Dyvik asked whether WSB had prepared their proposal before receipt of Metropolitan Council's letter of incompleteness or had been prepared in response to the letter.

Imihy replied that the proposal for plan completion was prepared in response to Metropolitan Council's letter, and the proposal references tasks and their correlation to Metropolitan Council's comments. She noted that if WSB is engaged to update the plan draft, from a process standpoint, their proposal was drafted with the expectation that Metropolitan Council may issue a second incomplete letter once they receive an updated draft. Responding to Council questions regarding task hours budgeted within the proposal, she added that actual costs could be less than stated in the proposal due to actual hourly billings, and that WSB would likely work within budgeted task hours for line items and come before Council if any adjustments needed to be made.

*A motion was made by Skjaret, seconded by Jerde, to approve the proposal from WSB to provide services to complete the 2040 update to the Comprehensive Plan.*

Council member Kvale stressed the importance of addressing the action items only for the Comprehensive Plan to be sufficient to meet Metropolitan Council requirements; and of using existing maps and resources available for the project.

Imihy confirmed she would be doing so.

*Ayes: all.*

Council member Dyvik commented that he still did not understand the five dwelling units per acre requirement versus the forecasted growth Metropolitan Council has allocated to Long Lake.

Imihy explained the difference between the number of dwelling units Metropolitan Council has forecasted for potential growth for Long Lake, versus the Metropolitan Council policy requirement through the Comprehensive Planning process to meet an overall City-wide average density of five dwelling units per acre. She confirmed that WSB will be working on calculations taking into account low density, medium density, and high density areas to create technical data needed and determine whether and where it may be necessary to allocate higher densities in some areas in order to maintain lower densities in others. She also clarified that the intent of changing densities is not to say a neighborhood has to be wiped out for more density, but rather to reflect that land uses cycle and identify where areas may be ending their life cycle and turning over to a different type of housing stock. She stated that jurisdictions in the Metropolitan Council area have needed to have hard conversations about accommodating growth. With 700,000 to 1,000,000 people forecast to move to the metropolitan area over the next 10 years, communities are required to plan for those people to come to the area. She noted that the potential land use applications anticipated to come forward may actually help the City arrive at their required density calculations.

Imihy clarified some of the work involved will be to take work done for the 2030 plan and use it again, but also, some of the work required is due to the fact that Metropolitan Council's standards for a Comprehensive Plan have changed between the 2030 and 2040 plan update cycles. She commented that WSB's proposal is not about going above and beyond, but about creating a plan document to make sure the Metropolitan Council's checklist of things they require from the plan is accomplished.

Mayor Miner reflected that he realized the work has to be done, noting that a lot of the 2030 plan focused on trying to predict the future, but a lot of that has not come true or may have gone in a different direction. He felt it was good to spend some time on meeting requirements, but that it would not be beneficial to try and predict the future in the new plan.

Imihy stated that she knows the Comprehensive Plan update process can be painful and frustrating when so much time has already been put into doing so, and thanked Council for their time.

**Discuss and Consider a Sewer Connection Request for an Orono Resident at 225 Willow Drive Into the City of Long Lake's System**

Administrator Weske recalled that the Council had adopted an ordinance at their May 21, 2019 meeting declaring that no new water or sewer connections from outside the City limits will be permitted or approved for one year until research can be done to determine the cause(s) of continued flow increase, evaluate capacity issues particularly from a public safety perspective, and to address them accordingly.

The City of Orono sent a letter to Long Lake dated June 6, 2019, along with a request dated April 19, 2017, asking the City Council to approve a new sewer connection to Long Lake's system for an Orono resident at 225 Willow Drive.

While the request is only one new connection, the goals of the ordinance creating a moratorium on connections to Long Lake utility services by properties outside City limits remain. Weske noted that there are a number of utility agreements between Long Lake and Orono that should be reviewed and addressed. The particular agreement referenced in the letter from the City Administrator of Orono establishes a limit of 24 connections - the proposed connection would be number 27. While staff is conducting research during the moratorium period of one year or less, the moratorium also allows an opportunity to work together with Orono to review the agreements and work towards creating a fair and equitable agreement for both cities for the future.

Weske explained that if the Council chooses to approve the connection as an exception to the moratorium ordinance, staff suggests an escrow for \$750.00 be required to be submitted to Long Lake along with any other related fees, including the applicable sewer connection fee, prior to drafting a new moratorium ordinance allowing for the connection. Permitting the connection would require amending the moratorium ordinance to permit the exception for the Orono resident for Council re-adoption and publication. It should be noted that if other connections are requested during the moratorium period the same process would need to be followed and re-adopted by the Council if additional exceptions to the moratorium are approved.

Council member Kvale pointed out that the Orono resident had submitted their letter to Orono in 2017 and questioned why there is now an urgency to address his request at this time. She added that there are other larger properties in the vicinity of the resident and asked whether they also may be coming forward to ask for connection to Long Lake's utilities.

Weske explained that when development had occurred in the vicinity of the Orono resident's location back in the early 1980's, he was offered the opportunity to connect to sewer but had rejected doing so since he had installed a new septic system around that time. His request to connect to Long Lake sewer, though communicated to Orono in 2017, was sent to Long Lake after the moratorium ordinance adoption. Weske stated that the letter does not communicate any urgency in the resident's request.

Council and staff discussed how the outside connections are metered and billed for usage; the need to review the utility agreements and come up with one new agreement between the cities; and observed that the moratorium's purpose to allow time to identify where I/I is coming through remains important.



City Attorney Thames stated that the moratorium ordinance has been set for a year, but Council has the option to lift the moratorium if it chooses to do so. The request before Council is to amend the moratorium ordinance to make an exception for a single property. He confirmed there are no statements about urgency in the correspondence provided to the City. If Council is supportive of making an exception, the process would be to amend the original ordinance for the exception. Otherwise, he would recommend the City continue to complete its study of I/I and capacity issues as efficiently as possible within the one year moratorium.

Mayor Miner invited Public Works Director Diercks to share any comments.

Diercks commented that he would like to see the moratorium stand in order to learn where I/I is coming from and to recognize the opportunity that exists to work with Orono and arrive at one master utility agreement. At this point, only three weeks into the moratorium, staff has begun to identify some issues including leaking joints in the City's infrastructure. He noted that with 14 various agreements in place, if the exception is granted for this resident, the Council could be faced with doing so for everyone who wants to connect during the moratorium.

Council member Skjaret voiced that the Council's long term goal is not to prevent connections. If the resident's non compliant septic system is failing and is a health hazard, he would be more willing to consider an exception.

Thames confirmed that what he was hearing from Council was that the exception request was not necessarily a no, but rather that Council would need more data stating there is an imminent health threat to the resident; otherwise, presently, the Council supports maintaining the moratorium.

Council and staff continued to discuss the utility agreements and the importance working towards one fair and equitable agreement for both parties.

Mayor Miner confirmed the Council was in agreement that they would not be taking action on the exception request tonight, but would be open to further discussion if a health hazard exists. Council's focus remains on directing staff to research and gather data consistent with the moratorium's intent.

### **Approve the Purchase and Installation of Seed Mix MN State #35-241 and 3,500 Square Yards of Erosion Control Blanket for Wurzer Trail**

Public Works Director Diercks indicated that with about a month left in work for Phase 2 of the CSAH 112 reconstruction project, the project contractor is eminently going to try and finish cleaning and grading work on Wurzer Trail. Previously, Council had discussed installing a prairie blend mix of seed to stabilize the ditch upon completion of the work. Diercks had received a bid for the work and materials from Eureka Construction at a cost of approximately \$6,059. He noted that he'd received quotes based upon two different seed mixes, and as the seed blends are largely similar, he is recommending consideration of the cheaper of the two options.

Council and staff discussed the funding source to be used for the project; the installation process that will be used; addressing water drainage concerns; and whether the road project contractor would provide a warranty for the seed mix installation.

*A motion was made by Jerde, seconded by Skjaret, to approve the purchase and installation of the Seed Mixture MN State #35-241 and 3500 square yards of erosion control blanket as quoted by Eureka Construction for Wurzer Trail in the amount of \$6,059.*

Upon question by Council member Kvale, Diercks confirmed he would reach out to the contractor to ask whether a warranty would be included for their installation service.

*Ayes: all.*

**Update on Letter Received From Hennepin County Regarding Speed Limit Reduction**

Weske advised that Council members' meeting informational packets included copy of a letter received from Hennepin County responding to the City's request to establish an 'urban district' for the purpose of reducing speed limits in the east end of the CSAH 112 corridor. The County has indicated that the statute does not permit the City to implement its resolution as adopted, and the roadway does not qualify to be an urban district under the statute.

Mayor Miner added that he had read the statute and it appeared clear to him that the criteria necessitates that the roadway be a City street or town road for the City to have authority. His understanding was consistent with the County's finding which stated that a County State Aid Highway falls under a different definition in statute. The County's recommendation was that the Council request MnDOT conduct a speed study once construction is complete, with the request made by resolution of Council.

Thames had reviewed the response letter and it was consistent with what he had expected may be received from the County. Though the definition on the types of roads as noted in the statute may not be the clearest, there was certainly doubt as to whether the road section qualifies for the City to declare it an 'urban district'. He clarified that with a traffic study request, any speed limit changes made as a result of the study would be out of the City's discretion.

Council member Dyvik commented that he also was not surprised at the County's response, and he had initially been a bit opposed to adopting the resolution at the time due to concern that it would draw attention to the corridor and a speed study could result in speed limits increasing in multiple areas. Through the reconstruction project, the County has set speed zones which are not perfect but are better than they were before the project. He added that Police have been enforcing and stopping a lot of drivers during construction as well.

City Clerk Moeller suggested that if a speed study were to be requested, perhaps it would be good to wait to do so until after flashing signals have been installed for pedestrian crossings.

Council members discussed their concerns about the safety of pedestrians crossing the roadway, and the concern that a speed study may actually result in a negative impact to the City.

Dan MacDonald, 335 Russell Lane, noted that the statute lists a series of conditions for a road to be considered an 'urban district' segment, and one of the conditions was particular to the number of accesses to residences from a roadway. He stated he does not believe the County is following the state statute.

Mayor Miner indicated that from what he had read, he did not see that the statute would be applicable to Long Lake.

Thames read aloud the condition mentioned by Mr. MacDonald from statute. He noted that while it could be argued that municipal state aid street is not defined in statute, but the position the County is taking is that the roadway does not qualify.

Council and staff also discussed considering installing pylon signs in crosswalks; the potential cost of such signage; working with Police Chief Risvold to request ongoing enforcement; and whether crossings could potentially be added in areas to effectively reduce speeds.

### **Wayzata Boulevard W Construction and Landscaping Project Updates**

Public Works Director Diercks reported that construction crews are currently backfilling along the walking trail on the north side of the road from Birch's to the Luce Line. He had also been hearing that the final lift of asphalt is scheduled to be installed in mid-July.

Regarding the Phase 1 landscaping project, the landscaping contractor will be arriving Thursday to begin work.

Diercks added that he did not know whether Council member Dyvik or Administrator Weske may have an update to share on the banner order, but he had hung a sample banner produced and believed the final product will look good in the corridor.

Diercks confirmed that boulevard seed grass is now in. He noted that in the sloped berm across from the lake, it appears that there has been a population explosion of weeds in the area. As that work was subcontracted out, he will be looking into the warranty to address the weeds.

Referring back to discussion of the CSAH 112 roadway and a potential speed study, Diercks stated that he believes the County is going to be requesting a speed study once the project is done. Weske added that he believe they may actually be required to submit once upon project completion.

Council member Skjaret noted that he would be glad to have the project finally complete. Though the City may not get everything it wanted, focus can be turned to the things the City can control.

Council member Dyvik added that he had seen a number of people using the new trail connection. Diercks shared that people began using the trail nearly before it cooled for use.

Council member Dyvik and Administrator Weske confirmed that the go ahead had been given for the banner printing, and the banners were currently in production.

### **OTHER BUSINESS**

**Finance / Utility Billing Officer Position Update** – Council member Kvale asked whether there had been any applications received yet for the posted Finance / Utility Billing Officer position. Administrator Weske replied that no applications had been received just yet, and the position was posted on the League of Minnesota Cities job opportunities website.

**Orono Lions Club Member Accident** – Council member Jerde advised that an Orono Lions Club member had been badly injured in a skateboard accident a week ago.

**Regional Mayors Meeting** – Mayor Miner had attended a regional meeting of Mayors and the big topic was road improvement projects. Cities are having difficulties getting contractors to bid on projects, and those who do bid are bidding high. The group is recommending getting any projects out to bid as close to the beginning of the year as possible.

**Crime Prevention Presentation** – Mayor Miner had spoken with Police Chief Risvold regarding the provision in the City's contract for Police service which includes the Police Department providing a crime prevention educational presentation each year. Last year's had been attended by 10 to 12

community members. Mayor Miner suggested Chief Risvold consider holding a crime prevention educational seminar in August, and they will be starting to consider a format and venue.

**Utility Bill Autopay Option Repair** – City Clerk Moeller advised that the City’s online utility billpay vendor had completed the addition of a “pay on bill due date” autopay option just in time for the next utility billing cycle.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 9:30 pm.*

Respectfully submitted,

Jeanette Moeller  
City Clerk